UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/820,272	04/08/2004	Tatsuo Suemasu	105-63 DIV/RCE II	8591
	7590 06/09/201 & BARON, LLP		EXAMINER	
6900 JERICHO TURNPIKE SYOSSET, NY 11791			BAREFORD, KATHERINE A	
			ART UNIT	PAPER NUMBER
			1715	
			MAIL DATE	DELIVERY MODE
			06/09/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

		Application No.	Applicant(s)			
Office Action Summary		10/820,272	SUEMASU ET AL.			
		Examiner	Art Unit			
		Katherine A. Bareford	1715			
Period fo	The MAILING DATE of this communication ap or Reply	ppears on the cover sheet with the c	correspondence address			
A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. - Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication. - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication. - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).						
Status						
•	 ✓ Responsive to communication(s) filed on <u>20 April 2010</u>. ✓ This action is FINAL. 2b) This action is non-final. 					
3)□	Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under <i>Ex parte Quayle</i> , 1935 C.D. 11, 453 O.G. 213.					
Dispositi	on of Claims					
 4) Claim(s) 9-11,13-18 and 20-22 is/are pending in the application. 4a) Of the above claim(s) is/are withdrawn from consideration. 5) Claim(s) is/are allowed. 6) Claim(s) 9-11,13-18 and 20-22 is/are rejected. 7) Claim(s) is/are objected to. 8) Claim(s) are subject to restriction and/or election requirement. 						
Applicati	on Papers					
10)	The specification is objected to by the Examir The drawing(s) filed on is/are: a) _ ac Applicant may not request that any objection to the Replacement drawing sheet(s) including the corre The oath or declaration is objected to by the E	ccepted or b) objected to by the e drawing(s) be held in abeyance. Section is required if the drawing(s) is ob	e 37 CFR 1.85(a). jected to. See 37 CFR 1.121(d).			
Priority u	ınder 35 U.S.C. § 119					
 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f). a) All b) Some * c) None of: 1. Certified copies of the priority documents have been received. 2. Certified copies of the priority documents have been received in Application No 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)). * See the attached detailed Office action for a list of the certified copies not received. 						
2) Notic 3) Inforr	t(s) e of References Cited (PTO-892) e of Draftsperson's Patent Drawing Review (PTO-948) nation Disclosure Statement(s) (PTO/SB/08) r No(s)/Mail Date	4) Interview Summary Paper No(s)/Mail D 5) Notice of Informal F 6) Other:	ate			

Art Unit: 1715

DETAILED ACTION

1. The amendment of April 20, 2010 has been received and entered. With the entry of the amendment, claims 1-8, 12 and 19 are canceled, and claims 9-11, 13-18 and 20-22 are pending for examination.

Terminal Disclaimer

2. The terminal disclaimer filed on December 12, 2008 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of any patent granted on application number 11/739,575 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 112

3. The rejection of claims 9-11, 13-18 and 20-22 under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement is withdrawn due to the amendments to claims 9 and 16 as to the molten metal filling process of April 20, 2010.

Claim Objections

4. Claims 10 and 17 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim.

Art Unit: 1715

Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.

Claims 10 and 17 require the filling to be by immersing the work piece/substrate in a molten metal, however, the filling with molten metal process of parent claims 9 and 16, respectively, now already require immersing the substrate in molten metal as part of the filling with molten metal process.

Claim Rejections - 35 USC § 103

- 5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
 - (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.
- 6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

- 7. The rejection of claims 9-11 and 13-15 under 35 U.S.C. 103(a) as being unpatentable over Japan 04-206875 (hereinafter '875) in view of Amano (US 5289038), Schneble, Jr. et al (US 3628999) and Sugitani (US 5657815) is withdrawn due to applicant's amendments of April 20, 2010 changing the scope of the claims.
- 8. Claims 9-11 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japan 04-206875 (hereinafter '875) in view of Amano (US 5289038), Schneble, Jr. et al (US 3628999) and Stynes (US 4071878).

Claims 9-11: '875 teaches that it is well known to provide a metal filling method for semiconductor elements, where a semiconductor substrate such as GaAs is provided and non-through hole is formed with extends from a first surface towards an opposite surface of a substrate. See figure 1(c), pages 1, 5 of translation (hole 4). A metal layer is formed on an inner peripheral surface portion of the non-through hole adjacent to the first surface of the substrate, and on the portion of the first surface of the substrate adjacent to the non-through hole. Figure 1(d), pages 1, 4 of translation (Ti/Au film 6 formed on the hole 4 and around the hole 4). Then the non-through hole is filled with molten metal and the molten metal is allowed to solidify. Figure 1 (e), (f) and page 5 of translation (softened gold 7 would be at least suggested to be molten, because it must be in a condition of being softened by heat as opposed to solidified, and softened would be inclusive of molten). Then part of the substrate is removed such that the solidified

metal is exposed through the opposite surface of the substrate. Figure 1(h) and page 5 of translation.

Claim 13: part of the substrate is removed by polishing. Page 1 of translation ("processed by polishing").

Claim 14: the solidified metal comprises an external section which protrudes from the first surface of the substrate. Figure 1(g).

Claim 15: the external section comprises a bump. Figure 1(g).

'875 provides all the features of these claims except that (1) before forming the inner layer an oxide layer is formed on an inner peripheral surface portion of the non-through hole adjacent to the first surface of the substrate and on a portion of the first surface of the substrate adjacent to the non-through hole, such that only the oxide layer is layered on the substrate, (2) filling the hole with molten metal by using the decompression chamber as claimed, (3) filling the hole with molten metal by immersing the substrate in molten metal (claim 10), and (4) then solidifying the metal by discharging the substrate from the molten metal (claim 11).

However, Amano teaches that when providing semiconductor substrates with non-through holes to which metal filling is provided, it is well known to provide a first layer of oxide (insulation film 22 of silica) directly on the substrate in the hole (concave) are and on a portion of the substrate adjacent this area. Figure 2 and column 4, line 40 through column 5, lines 35. Then a metal film 23 is provided directly on the insulation film 22 in the hole (concave) area and a portion of film 22 adjacent the hole area.

Column 5, lines 25-35 and figure 2. Then, over that area the metal filling area 26 is provided. Column 5, lines 5-15.

Schneble teaches a metal filling method. Column 4, lines 40-75. A hole is formed in a work piece extending from a first surface towards and opposite surface of a work piece. Column 4, lines 55-60 (holes 28) and figure 1E. The hole extends "into" base 10, and is not required to pass entirely through the substrate (base). Column 4, lines 55-50 and Figure 1. Then a metal layer is formed on at least an inner surface of one end of the hole adjacent the first surface of the work piece. Column 4, lines 55-65 (deposit 30) and figure 1F. The metal layer is also formed on a portion of the first surface of the work piece adjacent the hole, and thus is directly adhered to the first surface of the work piece adjacent the hole. Column 4, lines 60-70, column 5, lines 5-15 and figure 1F (land 32 on the top of mask layer 26 of the work piece, note that the hole is formed in a "work piece" that has base 10 and layers 22, 24, 26 as shown in figure 1E, and thus the top of mask layer 26 is the "first surface" of the work piece; to which the metal layer is directly adhered to (stuck fast or attached) until the layer 26 is actually removed as in figure 1G, column 4, lines 65-70). Then a third step of filling a molten metal into the fine hole is provided. Column 4, lines 65-75, column 5, lines 25-30 (solder would be metal) and Figure 1H (see 34). These form conductive passageways (connectors). Column 2, lines 40-50. The hole is filled by immersing the work piece in molten metal. Column 2, lines 1-10, column 4, lines 65-75, column 5, lines 20-60 (dipping in a molten solder bath). The

solder metal comprises an external section which protrudes from the first surface of the work piece, forming a "bump" shape. Figure 1H and column 4, lines 70-75.

Stynes teaches that a known desirable way of filling holes in electrical articles such as capacitors or circuit boards (column 2, lines 20-25 and column 13, lines 5-15) with molten metal is to provide the molten metal in a vessel (decompression chamber), reduce the pressure in the chamber, and then lower the substrate into the molten metal, thus immersing the substrate in the molten metal, followed by pressurizing the chamber to force (flow) the molten metal into the holes (electrode regions) in the substrate, and then the substrate is withdrawn from the molten metal and allowed to cool to solidify the molten metal therein (see figures 11, 6 and 23, and column 5, line 20 through column 6, line 68).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify '875 to provide an oxide insulation film in the non-through hole and adjacent the non-through hole, directly on the substrate and under the area where the metal layer is provided as suggested by Amano with an expectation of providing a desirable insulation between the semiconductor substrate and the metal layer as '875 teaches providing a metal layer between a semiconductor substrate and filled metal of a hole area and Amano teaches that when providing a metal layer between a semiconductor substrate and filled metal of a hole area it is well known to further provide an oxide insulation layer between the semiconductor substrate and the metal layer. It would further have been obvious to modify '875 in view of Amano to

provide the metal filling method by immersing the work piece in molten metal as suggested by Schneble with an expectation of desirable metal filling results, because '875 in view of Amano provides filling metal in a non-through hole after the hole area has an oxide layer followed by a metal layer; and Schneble provides a known way to fill a non-through hole with a metal layer on the inside with a metal fill. It would further have been obvious to modify '875 in view of Amano and Schneble to further remove the work piece from the molten metal bath and solidify the molten metal, in order to have a desirable treated substrate for use, because '875 in view of Amano and Schneble teaches to dip the article in molten metal, and demonstrates the result of a plated and filled article, indicating that the article must be removed from the molten metal bath for final use and furthermore the molten metal would solidify after removed from the bath, because it was no longer heated. Moreover, it would further have been obvious to modify '875 in view of Amano and Schneble to provide the filling process by providing the molten metal in a decompression chamber, reducing the pressure in the chamber, then immersing the substrate in the molten metal, and then after immersion, pressurizing the chamber so that the molten metal flows into the inside of the hole, and then removing the substrate and allowing the molten metal to solidify as suggested by Stynes in order to provide desirable impregnation of the holes, because '875 in view of Amano and Schneble provides impregnation of molten metal into the holes by immersion, and Stynes teaches that when impregnating molten metal into holes in electrical articles it is known to provide the filling process by providing the molten

metal in a decompression chamber, reducing the pressure in the chamber, then immersing the substrate in the molten metal, and then after immersion, pressurizing the chamber so that the molten metal flows into the inside of the hole, and then removing the substrate and allowing the molten metal to solidify in order to provide a desirable entry of the metal in to these holes.

9. Claims 16-18 and 20-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over '875 in view of Amano, Schneble and Stynes as applied to claims 9-11 and 13-15 above, and further in view of Locke et al (US 5245751).

'875 in view of Amano, Schneble and Stynes teaches all the features of these claims except (1) that the hole is a through hole that extends through the work piece (claim 16) and that the metal filling method further comprises closing the opening of the through holes and then opening the closed opening (claim 16), (2) and the closing of the opening using sealing material (claim 20).

Locke teaches that it is well known to provide connector through holes in an article where the holes are to be filled with metal. Column 4, lines 5-20. Locke teaches that it is known to form the connectors by providing a via or hole 82 that extends partially into a substrate (layer 80) of a work piece. Figure 6a and column 8, lines 20-30. Then the hole is plated to fill with conductor metals. Figure 6b and column 8, lines 25-35. Then the substrate 80 is partially removed to expose the metal in the hole by a process such as etching. Figure 6c and column 8, lines 35-40. Solder can be plated into

the holes. Column 8, lines 40-45. Locke also teaches that it is known to form the connectors by providing a through hole 58 through a substrate (sheet 56) and to close/block/seal the hole using a layer 54 (copper foil). Figure 5a and column 7, lines 40-47. Then the hole is plated to fill with conductor metals. Column 7, lines 45-55 and figure 5b. Then the layer 54 is removed to expose the metal through the opening of the through hole. Figure 5c and column 7, lines 54-60.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify '875 in view of Amano, Schneble and Stynes to provide a through hole that extends through the entire work piece but is blocked by a sealing layer (closing one side of the opening) to allow desirable filling and then to open the closed opening by removing the sealing layer as suggested by Locke in order to provide desirable connectors, because '875 in view of Amano, Schneble and Stynes teaches to provide holes into the substrate to be filled with metal and that the holes will become through holes and Locke teaches that when providing connector holes, it is known to provide them as a through hole that extends through the entire work piece but is blocked by a sealing layer (closing one side of the opening) to allow desirable filling, and then to open the closed opening by removing the sealing layer, which would provided an equivalent through hole system result to that provided by '875 in view of Amano, Schneble and Stynes. It would have been obvious to that the sealing layer would be provided either before or after hole formation with an expectation of equivalent results as long as it was provided before the filling of the holes, because the

purpose of the sealing layer is to block the opening during filling. Also note In re Burhans, 154 F.2d 690, 69 USPQ 330 (CCPA 1946) (selection of any order of performing process steps is prima facie obvious in the absence of new or unexpected results) (MPEP 2144.04. IV. C).

10. Claims 9-11 and 13-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Japan 04-206875 (hereinafter '875) in view of Amano (US 5289038), Schneble, Jr. et al (US 3628999) and Japan 2002-158191 (hereinafter '191).

Claims 9-11: '875 teaches that it is well known to provide a metal filling method for semiconductor elements, where a semiconductor substrate such as GaAs is provided and non-through hole is formed with extends from a first surface towards an opposite surface of a substrate. See figure 1(c), pages 1, 5 of translation (hole 4). A metal layer is formed on an inner peripheral surface portion of the non-through hole adjacent to the first surface of the substrate, and on the portion of the first surface of the substrate adjacent to the non-through hole. Figure 1(d), pages 1, 4 of translation (Ti/Au film 6 formed on the hole 4 and around the hole 4). Then the non-through hole is filled with molten metal and the molten metal is allowed to solidify. Figure 1 (e), (f) and page 5 of translation (softened gold 7 would be at least suggested to be molten, because it must be in a condition of being softened by heat as opposed to solidified, and softened would be inclusive of molten). Then part of the substrate is removed such that the solidified

metal is exposed through the opposite surface of the substrate. Figure 1(h) and page 5 of translation.

Claim 13: part of the substrate is removed by polishing. Page 1 of translation ("processed by polishing").

Claim 14: the solidified metal comprises an external section which protrudes from the first surface of the substrate. Figure 1(g).

Claim 15: the external section comprises a bump. Figure 1(g).

'875 provides all the features of these claims except that (1) before forming the inner layer an oxide layer is formed on an inner peripheral surface portion of the non-through hole adjacent to the first surface of the substrate and on a portion of the first surface of the substrate adjacent to the non-through hole, such that only the oxide layer is layered on the substrate, (2) filling the hole with molten metal by using decompression chamber as claimed, (3) filling the hole with molten metal by immersing the substrate in molten metal (claim 10), and (4) then solidifying the metal by discharging the substrate from the molten metal (claim 11).

However, Amano teaches that when providing semiconductor substrates with non-through holes to which metal filling is provided, it is well known to provide a first layer of oxide (insulation film 22 of silica) directly on the substrate in the hole (concave) are and on a portion of the substrate adjacent this area. Figure 2 and column 4, line 40 through column 5, lines 35. Then a metal film 23 is provided directly on the insulation film 22 in the hole (concave) area and a portion of film 22 adjacent the hole area.

Column 5, lines 25-35 and figure 2. Then, over that area the metal filling area 26 is provided. Column 5, lines 5-15.

Schneble teaches a metal filling method. Column 4, lines 40-75. A hole is formed in a work piece extending from a first surface towards and opposite surface of a work piece. Column 4, lines 55-60 (holes 28) and figure 1E. The hole extends "into" base 10, and is not required to pass entirely through the substrate (base). Column 4, lines 55-50 and Figure 1. Then a metal layer is formed on at least an inner surface of one end of the hole adjacent the first surface of the work piece. Column 4, lines 55-65 (deposit 30) and figure 1F. The metal layer is also formed on a portion of the first surface of the work piece adjacent the hole, and thus is directly adhered to the first surface of the work piece adjacent the hole. Column 4, lines 60-70, column 5, lines 5-15 and figure 1F (land 32 on the top of mask layer 26 of the work piece, note that the hole is formed in a "work piece" that has base 10 and layers 22, 24, 26 as shown in figure 1E, and thus the top of mask layer 26 is the "first surface" of the work piece; to which the metal layer is directly adhered to (stuck fast or attached) until the layer 26 is actually removed as in figure 1G, column 4, lines 65-70). Then a third step of filling a molten metal into the fine hole is provided. Column 4, lines 65-75, column 5, lines 25-30 (solder would be metal) and Figure 1H (see 34). These form conductive passageways (connectors). Column 2, lines 40-50. The hole is filled by immersing the work piece in molten metal. Column 2, lines 1-10, column 4, lines 65-75, column 5, lines 20-60 (dipping in a molten solder bath). The

solder metal comprises an external section which protrudes from the first surface of the work piece, forming a "bump" shape. Figure 1H and column 4, lines 70-75.

'191 teaches that a known way of filling in metal in fine pores (non through holes) in substrates is to provide a molten metal tank in a vacuum (decompression) chamber, reduce the pressure in the chamber, immerse the substrate in the molten metal tank, and then pressurizing the chamber to fill the molten metal into the pores without generating an air gap in the pores. Abstract, figures 3-4, and paragraphs [0012]--[0013]. This will provide relatively reducing pressure in the hole compared to a pressure outside the hole. After filling the substrate is removed and the molten metal allowed to cool, which would solidify the metal. Paragraph [0014].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify '875 to provide an oxide insulation film in the non-through hole and adjacent the non-through hole, directly on the substrate and under the area where the metal layer is provided as suggested by Amano with an expectation of providing a desirable insulation between the semiconductor substrate and the metal layer as '875 teaches providing a metal layer between a semiconductor substrate and filled metal of a hole area and Amano teaches that when providing a metal layer between a semiconductor substrate and filled metal of a hole area it is well known to further provide an oxide insulation layer between the semiconductor substrate and the metal layer. It would further have been obvious to modify '875 in view of Amano to provide the metal filling method by immersing the work piece in molten metal as

suggested by Schneble with an expectation of desirable metal filling results, because '875 in view of Amano provides filling metal in a non-through hole after the hole area has an oxide layer followed by a metal layer; and Schneble provides a known way to fill a non-through hole with a metal layer on the inside with a metal fill. It would further have been obvious to modify '875 in view of Amano and Schneble to further remove the work piece from the molten metal bath and solidify the molten metal, in order to have a desirable treated substrate for use, because '875 in view of Amano and Schneble teaches to dip the article in molten metal, and demonstrates the result of a plated and filled article, indicating that the article must be removed from the molten metal bath for final use and furthermore the molten metal would solidify after removed from the bath, because it was no longer heated. Moreover, it would further have been obvious to modify '875 in view of Amano and Schneble to provide the filling process by providing the molten metal in a decompression chamber, reducing the pressure in the chamber, then immersing the substrate in the molten metal, and then after immersion, pressurizing the chamber so that the molten metal flows into the inside of the hole, and then removing the substrate and allowing the molten metal to solidify as suggested by '191 in order to provide desirable impregnation of the holes, because '875 in view of Amano and Schneble provides impregnation of molten metal into the holes by immersion, and '191 teaches that when impregnating a molten metal into a substrate with pores (holes), it is known to provide the filling process by providing the molten metal in a decompression chamber, reducing the pressure in the chamber, then

immersing the substrate in the molten metal, and then after immersion, pressurizing the chamber so that the molten metal flows into the inside of the hole, and then removing the substrate and allowing the molten metal to solidify, allowing efficient filling of pores.

- 11. The rejection of claims 16-18 and 20-22 under 35 U.S.C. 103(a) as being unpatentable over '875 in view of Amano, Schneble and '191 as applied to claims 9-11 and 13-15 above, and further in view of Locke et al (US 5245751) is withdrawn due to the filing of the certified translations of the priority documents on April 20, 2010.
- 12. The Examiner notes the provision of Japan 2002-158191 with the IDS of January 15, 2009.
- 13. Ishikawa et al (US 3599601) also notes the filling of pores (holes) in an article by providing molten metal in a decompression chamber, reducing the pressure in the chamber, then immersing the substrate in the molten metal, and then after immersion, pressurizing the chamber so that the molten metal flows into the inside of the hole, and then removing the substrate and allowing the molten metal to solidify (column 4, lines 20-55).

Art Unit: 1715

14. The Examiner has reviewed the submitted certified translations of the foreign priority documents, but the rejection of claims 9-11 and 13-15 using Japan 2002-158191 (hereinafter '191) as provided above is not overcome. This is because priority document 2001-287082, which has a filing date before the effective date of '191 does not provide a teaching of performing the metal filling method for filling "non-through holes" as claimed in claims 9-11 and 13-15, but rather only describes the use of "through holes" as in claims 16-18 and 20-22 (since priority document Japan 2001-287082 provides a teaching of all the features of claims 16-18 and 20-22 the rejection using '191 has been withdrawn for these claims). Since all the features of claims 9-11 and 13-15 are not provided by the priority document 2001-287082, the chain of priority does not extend back to the filing date of 2001-287082 and the rejection using '191 is maintained. While the second priority document, to 2002-270563 does provide a teaching of performing the metal filling method for "non-through holes", this document cannot be used to overcome the rejection using '191, because the publication date of '191 (May 31, 2002) is before the filing date of 2002-270563 (September 17, 2002).

Response to Arguments

15. Applicant's arguments with respect to claims 9-11, 13-18 and 20-22 have been considered but are most in view of the new ground(s) of rejection.

The new use of the reference to Stynes as to rejecting claims 9-11, 13-18 and 20-22 is used as discussed in the rejections above as to the newly claimed features of the metal filling method using the decompression chamber.

16. Applicant's arguments filed April 20, 2010 have been fully considered but they are not persuasive.

As to the rejection of claims 9-11 and 13-15 using Japan '875 in view of Amano, Schneble and Japan '191, applicant's only argument is that a translation of the foreign priority papers has been provided to overcome the rejection. However, as noted in the *Priority* section above, the filing of these translations does not overcome the rejection of claims 9-11 and 13-15.

Conclusion

17. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Katherine A. Bareford whose telephone number is (571) 272-1413. The examiner can normally be reached on M-F(6:00-3:30) First Friday Off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Timothy H. Meeks can be reached on (571) 272-1423. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 1715

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Katherine A. Bareford/ Primary Examiner, Art Unit 1715